(3)

C.S. 100

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR(CG)

W.P.No. 2617 /2004

PETITIONER : SEWARAM ROY, aged 48 years,
S/o Late Shri Ramadhin Roy,
Asstt. Grade-III, Tahsil Office Dhamdha
Distt. DURG (C.G.).

P.R. No. 2634/04
Presented by Shri Bijay Shrivastava
dated 13.9.04

VERSUS

RESPONDENTS : (1) State Govt. of C.G.
Through-Secretary, Revenue Department,
D.K.S. Bawan, RAIPUR.

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17/8/04
Clerk to A.G. Bilaspur

(2) Collector, DURG.

(3) Lakhanlal Sudhakar, aged 48 years,
Asstt. Grade-II, Food Section,
Collectorate - DURG.

OATH COMMISSIONER (M.P.) DURG

(4) Bhuwanlal Gawre, aged 35 years,
Asstt. Grade-II,
Block Office Gunderdehi,
Tah. Gunderdehi, distt. DURG (CG).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

(42)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 2627/2004 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	02-02-2005 Shri Ajay Shrivastava, learned counsel for the petitioner. Shri J.D. Bajpai, learned Govt. Advocate for the State/ respodnents No. 1 and 2 on advance copy. Heard. Learned counsel for the petitioner submits that the petitioner was appointed on the post of Assistant Grade-III vide order dated 3-5-83 (Annexure-P/2). He further submits that after the said date of appointment, though the petitioner worked for a reasonable period but he has not been paid the benefit of increments and promotional benefits in accordance with law. He also submits that when an enquiry was made, it was told to the petitioner that since he has not passed the typing examination, therefore, he will not be entitled for getting those benefits including the benefit of increments as other persons who have passed the typing examination are getting. Learned counsel for the petitioner also submits that passing of the typing examination is not a condition of appointment as is clear from the appointment order itself. Therefore, it cannot be imposed as a condition in furture by the State authorities and the petitioner cannot be	

Gr. PRJ—FS/350—12/2000—50,000.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

deprived from getting the benefit of increments, promotional benefits etc.

During the course of arguments learned counsel for the petitioner makes a limited prayer that the petitioner should be given an opportunity to file representation before the concerned authority and the concerned authority should be directed to decide the same within the stipulated period in accordance with law.

This limited prayer made by learned counsel for the petitioner is not opposed by learned counsel for the State.

The prayer made by learned counsel for the petitioner is allowed.

Having considered the facts and circumstances of the case and material on record, the petitioner is directed to file a detailed representation raising all his grievances before the competent authority of the respondents alongwith a copy of this order and copy of this petition (W.P.No.2627/2004) within 10 days from the date of this order and on such representation being filed, the competent authority shall decide the same by a

GL PRJ—FS/350—12/2000—50,000.

(24)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक.....सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
Gowri	reasoned order in accordance with law as early as possible preferably within a period of three months from the date of filing of the representation. With the aforesaid observations, the petition stands finally disposed of. Consequently, M.W.P.No.2333/04 & I.A.No.5849/04 also stand disposed of. Parties are entitled for certified copy of this order. **Sd/-** **Sunil Kumar Sinha** **Judge**	